

FLORIDA | Board of Medicine

Inside

Magdalena Averhoff, M.D. served as the Chair of the Board of Medicine since January 1, 2017. Brigitte Goersch, Consumer member, served as Vice Chair during the same period. Both served until December 31, 2017.

Message From the Chair

It has been an honor and pleasure to serve as the Board of Medicine's Chair this past year (2017). The Board works hard to uphold their mission to protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts. This year, in addition to conducting disciplinary hearings, the Board focused on many current health care issues including prevention of wrong site surgeries, adverse incidents, medical marijuana, and setting office surgery and telemedicine standards.

The Board continues to work on

efforts to address the widespread opioid crisis. The misuse and abuse of controlled substances has reached epidemic proportions. Physicians are well positioned to help keep patients in Florida from becoming at risk for overdose and addiction. The Board feels that safe prescribing practices are necessary to combat the overprescribing of controlled substances and are committed to help fight this epidemic.

At the end of the month, I will turn the gavel over to the newly elected Chair and Vice Chair for 2018, Jorge Lopez, M.D. and Steven Rosenberg, M.D., respectively. I wish them great success in the coming year.

2017 NEWSLETTER



Magdalena Averhoff, M.D.

Brigitte Goersch on Being a Consumer Member

The Board of Medicine is comprised of 15 members appointed by the Governor and confirmed by the Senate. Three of those members are consumer members, there to represent the view of Florida's healthcare consumer. A consumer member may not, and never have been, licensed as a healthcare practitioner. Why is this good? Consumer members present a view from the patient's or consumer's side to issues that the board considers. They offer a different perspective that relates

to the practice of medicine. Over the years, consumer members on the Board of Medicine have influenced a variety of areas such as rule making, disciplinary issues and management practices. Florida has a well balanced view represented on the Board of Medicine. Board members are privileged to represent you—both the medical practitioner and the patient/consumer.



Brigitte Goersch Vice-Chair

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Members of the Board



Jorge J. Lopez M.D. Chair Maitland Term Ends: 10/31/2017



Steven Rosenberg M.D. Vice-Chair West Palm Beach Term Ends: 10/31/19



Magdalena Averhoff | M.D. |
Coral Gables



Gary Dolin M.D. Bradenton Term Ends:

10/31/2018



Stephanie Haridopolos M.D.





Robert London M.D.

Term Ends:

10/31/2019

Maitland Term Ends: 10/31/2020



James Orr M.D.

Bonita Springs Term Ends: 10/31/2018



Seela Ramesh M.D.

Orlando Term Ends: 10/31/2019



Merle Stringer M.D.

Panama City Term Ends: 10/31/2017



Sarvam TerKonda M.D.

Jacksonville Term Ends: 10/31/2020



Hector Vila M.D.

Tampa Term Ends: 10/31/2018



Vacant Board Member

Term Ends:



Nicholas W. Romanello, Esquire Consumer West Palm Beach Term Ends: 10/31/2016



Brigitte R. Goersch Consumer Satellite Beach Term Ends: 10/31/2017



Andre Perez Consumer Coral Gables Term Ends: 10/31/2020

2018 Elections

At the December 2017 Board Meeting, members elected the Chair and Vice Chair for 2018. Jorge Lopez, M.D. will serve as Chair and Steven Rosenberg, M.D. will serve as Vice Chair.



Jorge Lopez, M.D. Chair



Steven Rosenberg, M.D.
Vice-Chair

Thank You for Your Service

Dr. Enrique Ginzburg and Dr. Bernardo Fernandez left the Board of Medicine after almost 4 years of service each. Dr. Ginzburg has been practicing medicine for 32 years and currently works as a trauma surgeon in Miami. He graduated from University of Miami medical school and did his residency at Mt. Sinai Medical Center and Jackson Memorial and a fellowship at Vascular Surgeons of Central Ohio. Dr. Fernandez has been practicing medicine for 30 years and specializes in cardiovascular disease in Ft. Lauderdale. He graduated from Ponce School of Medicine and did both his residency and fellowship at the Cleveland Clinic in Ohio. Dr. Fernandez and Dr. Ginzburg served the Board of Medicine, the medical community, and the citizens of Florida with exceptional loyalty, insight, and diligence.

At the June 2017 meeting, the Board of Medicine recognized Joy Tootle, J.D., for her service as a Consumer Member of the Board. Ms. Tootle was formerly the Executive Director of the Board of Medicine. She has also served as a prosecutor for the Department of Health.



Dr. Enrique Ginzburg



Dr. Bernardo Fernandez



Magdalena Averhoff, M.D., Chair and Joy Tootle

The Board Says Goodbye to Dr. Zachariah

The Board of Medicine says goodbye to Zachariah P. Zachariah, M.D., member and former Chair of the Board. **Governor Scott asked** Dr. Zachariah to serve on the Florida Board of Governors of the State University System. As a result, he had to resign from the Board of Medicine before taking on his new appointment. The expertise, experience, and dedication Dr. Zachariah brought to the board and the matters that came before it was invaluable and will be sorely missed. We have enjoyed working with him and wish him all the best in his new appointment.



New Board Members

The Board of Medicine is pleased to announce that Governor Rick Scott appointed Dr. Stephanie Haridopolos and Dr. Robert London to serve on the Board of Medicine. Their terms are from May 12, 2017 to October 31, 2020.

Dr. London is an anesthesiologist who has been practicing for 35 years. He graduated from Cornell University Medical College, did a surgery internship at East Virginia Medical Authority, and did both his residency and fellowship at New York Hospital. "It is an honor to be writing this as a new member of the Florida Board of Medicine. Attending my first meeting in August, I was duly impressed by the current members of the Board

as well as the organizational format of the two full days. My fellow Board members were gracious, welcoming and serious about their professional responsibility to protect the citizens of Florida. This was matched by the professionalism, commitment and sensitivity of the attorneys, administrators and staff of the Board. I look forward to carrying out the responsibilities of this position alongside this caring group. I am humbled by this opportunity to serve the citizens of Florida."

Dr. Haridopolos has been practicing medicine as a family physician for 19 years. She graduated from American University of the Caribbean School of Medicine and did her residency at Albany Medical Center. "I am honored and humbled to be appointed to the Florida Board of Medicine. I am extremely grateful that the Governor has entrusted me with this responsibility. I

look forward to serving our great state by upholding the highest standards for doctors and ensuring the best quality of care is delivered to patients."

Dr. Haridopolos and Dr. London visited the board office on June 14 and June 23 respectively. During their trips they met all of the board staff and developed a better understanding of each of their functions.



Dr. Stephanie Haridopolos

Dr. Robert London

Governor Rick Scott appointed a new consumer member to the Florida Board of Medicine. Andre M. Perez was appointed December 1, 2017 for a term ending October 31, 2020. Mr. Perez, from Miami, is the chief executive officer of EB5 Visa Funds, LLC. Board members welcome Mr. Perez to the Board.



Mr. Andre Perez

Medical Students Recognized

The Florida Board of Medicine recognized 3rd and 4th year medical students from our Florida medical schools, a program originally instituted by Board Member Onelia Lage, M.D. in 2010. To be nominated, the student should exemplify the professionalism, moral character, compassion and intellect essential to a future leader of the medical profession. The student should be someone whose peers and faculty respect as an outstanding physician-to-be.



Sara Hart, University of Central Florida, Recognized at February 2017 Board Meeting



Adam Tagliero, Florida International University, Recognized at April 2017 Board Meeting



Jeff Francis, University of South, Recognized at October 2017 Board Meeting

Not Pictured:

Kyla R. Wilkinson, Florida International University, Recognized August 2017 Board Meeting

Elizabeth Wellings, University of Central Florida, Recognized December 2017 Board Meeting

Multi-Board Workgroup

Dr. Orr, Dr. Vila, and Dr. Terkonda represented the board at the multidisciplinary workgroup organized by the Department of Health's Division of Medical Quality Assurance on June 2, 2017, in Orlando. Members from the Boards of Medicine, Osteopathic Medicine, Dentistry, Nursing, and Pharmacy gathered to discuss telehealth, wrong site surgery and retained foreign objects, prescribing of controlled substances, safe anesthesia practices, and a legislative update with State Surgeon General, Dr. Celeste Philip.

A subgroup was formed specifically to address the opioid epidemic in Florida. The Multidisciplinary Board Fact Finding Work

Group on Controlled Substances was held on November 3, 2017, in Orlando. Dr. London participated in

the day-long meeting and Dr. Vila attended the afternoon session. The focus of the workgroup was to review the CDC's new prescribing guidelines presented by Dr. Minda Reed, review an update from the PDMP (E-FORCSE), discuss pre-and post-licensure education and alternative treatment therapies, and develop strategies to combat this epidemic with an emphasis on broad-based collaboration and education.

Some of the strategies include having individual boards write letters in support of current legislative proposals for 3-day prescribing limits, using alternative treatments for chronic pain, mandatory CE coordinated across all disciplines, and mandatory use of

the PDMP. Future meetings will focus on education and implementing strategies. The Department plans to invite representatives from the insurance industry and pharmaceutical companies to future meetings.



Left to right are Dr. Sarvam TerKonda,

State Surgeon General, Dr. Philip

Dr. James Orr, and Dr. Hector Villa.

News About Telehealth

Here is the link to the Telehealth Advisory Council Report: http:// www.ahca.myflorida.com /SCHS/telehealth/docs/ TAC Report.pdf

State Surgeon General, Dr. Celeste Philip, and Dr. Terkonda served on the Council. If you are interested in more information about the Council's activities and goals, visit their website: http://www.ahca.myflorida.com/SCHS/telehealth/index.shtml.

Health Heroes

The Florida Department of Health honored veterans, active duty service members and their families on Veterans Day by recognizing the 2017 Florida Veteran Health Heroes and highlighting the department's veterans support services. Over 1.5 million veterans call Florida home and our continued goal is to help make Florida the most veteran-friendly state in the nation

The 2017 Florida Veteran Health Heroes publication highlights health care practitioners who have served in the United States Armed Forces and the Commissioned Corps of the U.S. Public Health Service. This year, we recognize Donald "Don" Erbes, DMD; Diane Fletcher, RN; Jaime Luis Torres II, MD; Charles D. Llano, DDS; and Francisco M. Granda, DMD, MS, MD.

The department also offers several

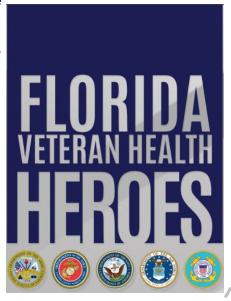
licensure support services to qualified military families. The Veterans Application for Licensure Online Response (VALOR) System expedites licensing for military veterans who apply six months before or after honorable discharge from active duty, as well as fee waiver eligibility for military veterans and their spouses for health care practitioner licenses up to 60 months after honorable discharge. The department also offers additional armed forces licensure support including an opportunity to receive a temporary certificate to practice in areas of critical need, renewal exemptions and professional examination fee reim-

To learn more the 2017 Florida Veteran Health Heroes and for

bursements.

more information about the department's military licensing support services, please visit the Armed Services Licensing page at

www.flhealthsource.gov/valor.



Federation of State Medical Boards 2017 Meeting



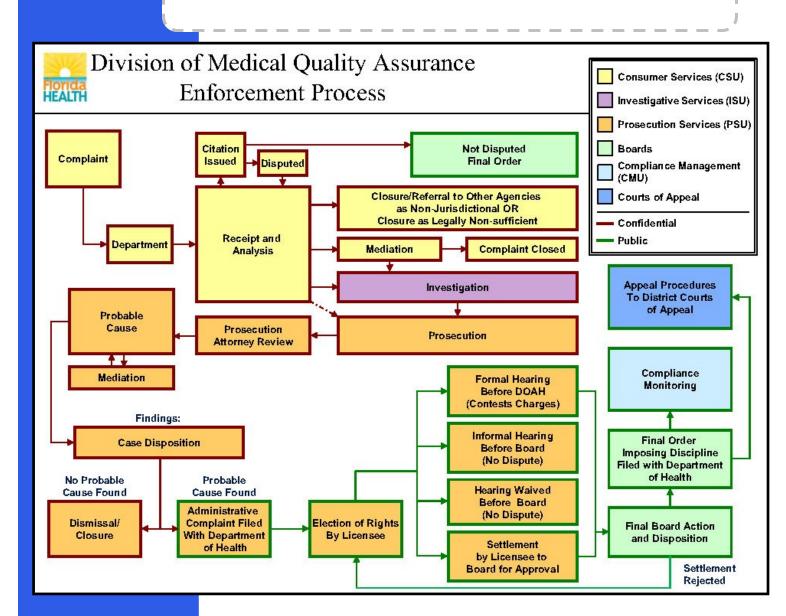
Left to right are Dr. Mendez, Chair, Board of Osteopathic Medicine, Dr. Rose, Dr. Schwemmer, Dr. Averhoff, Chair Board of Medicine, Donna McNulty, Board Counsel, Claudia Kemp, Executive Director, Board of Medicine, Dr. Hayden, Ed Tellechea, Board Counsel.

On April 20, 2017 members of the Board of Medicine, the Board of Osteopathic Medicine, board counsel, and the executive director for the Board of Medicine attended the Federation of State Medical Boards (FSMB) meeting in Fort Worth, Texas.

The overarching theme of the meeting was Planning for the Future: Perspectives in Medical Regulation. Some of the sessions focused on Telehealth, License Portability, International Mobility for Physicians, and Burnout Prevention. The annual meetings provide an opportunity to meet board members and staff from other jurisdictions and join in discussions on a variety of issues.

MQA Enforcement Process Guide

This is a map of the MQA enforcement process. This chart maps the path of enforcement from the time the complaint is filed to the time the final order is issued and monitoring begins. This map and other information on the enforcement processes of each service are available on our website. Please visit http://www.floridahealth.gov/licensing-and-regulation/enforcement/admin-complaint-process/index.html for more information.



The Board of Medicine's responsibility is to ensure applicants meet the current requirements for licensure. If issues are identified in the application, the applicant may be asked to appear before the Credentials Committee. In addition, to licensing qualified practitioners, the Board conducts disciplinary hearings at the Board Meetings.

How Do I...

Report my Pain Management Quarterly Data?

Reporting this data is the designated physician's responsibility. The quarterly data reports must be received by the Board no more than 30 days after the end of the reporting period. You can now report your quarterly data online. Reporting online is fast, easy and more efficient. When you are finished reporting, print the confirmation page showing you have successfully submitted your quarterly data to the department. Maintain copies of your confirmation pages because this document can be used to demonstrate data reporting compliance to the department's investigator during your annual inspection. To report your data online, you should log into http://www.flhealthsource.gov/mqa-services. Once logged in, select quarterly data reporting and enter the data for all pain management clinics that are related to your medical license. If you forgot your ID and password, there are instructions about how to obtain that information. If a clinic is not linked to your license, please contact the Board office at 850-901-6413 and you will be sent instructions on how to link the clinic or clinics.

Data Reporting Period	Last Day to Report
1st Quarter = January 1-March 31	April 30th
2nd Quarter = April 1 – June 30	July 30th
3rd Quarter= July 1-September 30	October 30th
4th Quarter = October 1-December 31	January 30th

Florida Medical Marijuana Updates

During the 2017 Special Session, Senate Bill 8A, Medical Use of Marijuana, was passed and became law upon the signature of the Governor on June 23, 2017. The law directs the Boards of Medicine and Osteopathic Medicine to adopt rules for a standardized consent form. Qualified physicians must use the consent form when they issue a certification for medical marijuana to a qualified patient. The boards formed a joint committee to adopt rules to implement the new law.

Section 381.986(4)(b), F.S. (2017), provides that if a qualified physician issues a physician certification for a qualified patient diagnosed with a qualifying medical condition of the same kind or class as those listed in statute, the physician must submit documentation to the Board of Medicine or the Board of Osteopathic Medicine within 14 days after issuing the physician certification. The Committee members agreed that a form was needed so that the information provided is consistent and in a standard format.

The consent form and the documentation form have been adopted by emergency rule and are now available on the board's website http://flboardofmedicine.gov/ under the "Resources" tab. Medical marijuana may be used for patient care if it is prescribed by a qualified Florida licensed physician in a manner that is consistent with the standard of care.

2017 Committee Updates

Rules/Legislative Committee

The Rules/Legislative Committee was chaired by Zachariah P. Zachariah, MD until he resigned. Here are the Committee's activities for 2017:

Rule 64B8-11.001, FAC - Advertising

The Committee approved these board certification entities for purposes of advertising only.

American Board of Electrodiagnostic Medicine

United Council for Neurodiagnostic Subspecialties

Rule 64B8-13.005, FAC - Continuing Education for Biennial Renewal

The Committee approved the five most misdiagnosed medical conditions for the past two years which are included in the required prevention of medical errors continuing education course. The five most misdiagnosed medical conditions are:

Cancer related conditions

Surgical Complications

Respiratory related conditions

OB/GYN related conditions

Cardiology related conditions

Rule 64B8-35.002, FAC - Standards for Protocols (ARNP)

The Committee repealed this rule which required physicians to notify the Board when they entered into a formal relationship with an ARNP, EMT or paramedic. This is no longer required because of 2017 legislative changes.

Rule 64B8-3.002, FAC – Application, Certification, Registration and Licensure Fees

Rule 64B8-3.003, FAC - Renewal Fees

Rule 64B8-4.009, FAC – Applications

The Committee approved a reduction in application and renewal fees which are now in effect.

Rule 64B8-8.0012, FAC - Probation Variables

The Committee approved language which restricts physicians who are prohibited from prescribing controlled substances due to a disciplinary action from delegating prescribing privileges to physician extenders.

Rule 64B8-8.0011, FAC – Standard Terms Applicable to Final Orders

The Committee approved language that would allow physicians on probation to fulfill CME requirements through webinars.

Rule 64B8-8.011, FAC - Notices of Non-Compliance (MD)

Continued on next page...

2017 Committee Updates, Continued

Rule 64B8-30.013, FAC - Notices of Non-Compliance (PA)

Rule 64B8-31.008, FAC - Notices of Non-Compliance (AA)

The Committee approved disciplinary guidelines that would allow the issuance of notices of non-compliance for an initial offense or a minor violation established by the Board in these rules.

Anesthesiologist Assistant Committee

The committee, chaired by Merle P. Stringer, MD, voted at their February 2017 meeting to temporarily reduce licensure and renewal fees.

Adverse Incident Research

Dr. Averhoff M.D. requested 10 years of research on office surgery adverse incidents including the number and types of incidents that occur in the surgical office setting. This research was presented during the Full Board meeting on December 1, 2017.

Surgical Care/Quality Assurance Committee

The Surgical Care/Quality Assurance Committee was chaired by James W. Orr, Jr., M.D. Here are the committee's activities for 2017:

Rule 64B8-9.009, F.A.C. – Standards for Office Surgery

- Approved the American Red Cross as an entity which provides certification in basic life support.
- Approved Pacific Medical Training as an entity which provides ACLS/BLS/CPR.PALS training.
- Removed the requirement that Vasopressin be stocked on the crash cart.
- Removed subparagraph 64B8-30.012(2)(b)6., F.A.C. Clarified language about Level I office surgery procedures and required the addition of certain drugs to be maintained on the crash cart when performing such procedures.
- Amended language regarding the requirements for all ASA II patients before surgery.
- The Committee held a Wrong Site/Person/Surgery Rule Workshop. Andrew Sebesta, board staff, conducted research and presented the information to the Committee. The Committee invited members from various organizations to participate in the workshop to discuss solutions for preventing wrong site surgeries.

The Committee also became aware of a shortage of Lidocaine with Epinephrine and a shortage of Bupivacine with Epinephrine and requested that the information be shared with physicians in Florida. The information was placed on the Board's website.

The Florida Medical Association (FMA) submitted a letter to the Committee and proposed revising the rule related to itinerant surgery. According to the FMA, when physicians are performing surgery in office surgery facilities that practice in other cities, there is a concern that if there was a complication, the physician would not be able to get back to the facility within 20 minutes. FMA believes the Board can improve patient safety by amending the rule to require physicians to inform their patients of (1) the hospitals where the physician has privileges or a transfer agreement, (2) whether the physician will be available post-surgery, and (3) where to seek post-operative care in the event of a complication when the physician is unavailable. Proposed language for this proposal was presented at the November 30, 2017 Committee Meeting.

Message from the Executive Director, Claudia Kemp

This is the end of my first full year serving as the Executive Director for the Board of Medicine. It is a pleasure and honor to work with the members of the board who dedicate their time, energy, and expertise to ensure that every medical professional under the purview of the board and practicing in the state meets minimum requirements for safe practice. The members volunteer their time and energy and work together to promote the safe practice of medicine in Florida.

The 35 members of the board staff are dedicated to providing excellent service to all of our customers. We regularly receive positive customer feedback which inspires the staff and helps management measure the quality of customer service. When a customer, whether internal or external, has a positive experience and takes the time to let us know, it provides meaningful input. Here is a small sampling of the positive feedback we have received this year.



This one came from a Department of Health employee who was in a meeting where board staff made a presentation.

"I would like to state how impressed I am with the Board of Medicine (board staff). Several months ago, I attended a meeting conducted by the Board of Medicine that still resonates with me. When I arrived at the meeting there were, I believe 5 or 6 members of the board (staff) and they were all on time and already seated at the meeting-we did not have to wait on them. They were all prepared, and each person presented at the meeting. They passed out handouts and explained the very detailed material regarding renewal and adding dispensing privileges very well. They were kind and very professional and they genuinely appeared to enjoy their jobs. One of the presenters even commended her colleague, Gene, for organizing and preparing the materials. The information was easy to understand, and I was able to take handouts to my desk to keep for reference. I felt like these individuals from the board went out of their way from their busy schedules and prepared this presentation for me, and as a call center rep, I felt special. I did not expect that, but the Board of Medicine has taught me that going forward, maybe I should. Because of that presentation I feel the bar has been raised, and I believe the Board of Medicine should be used as a model for how all the boards should conduct their meetings."

The Board office regularly receives positive customer feedback about staff's excellent customer service.

- "Wow. First, that was the fastest I have ever received information back from any state health agency"
- "My license came through and I just want you to know that I am so so very appreciative of your help. I truly did not know what to do and/or who to contact to find out what I could do to remedy the situation I was in and you went out of your way to help me without being assigned my file. For your concern, genuine compassion, diligence, and kindness, I will be forever grateful. I am now able to complete my residency."
- "She has been a God send to me! She is so knowledgeable and helpful. She makes my job a bit easier each time I've needed assistance. Her response time is close to immediate. WOW."
- "Once again thank you for taking the time to walk me through the initial licensure process. You were extremely patient and sweet despite
 my several questions!!"
- "The whole process only took 2-3 weeks to complete! I am so impressed about your state 's services!"
- "This is simply amazing. You have always been very responsive to my requests and I wish I could give you a STAR card or something similar."
- Thank you for all the hard work and dedication. I also wanted to let you know that all that effort has not been taken for granted, and I deeply appreciate all that you do from the bottom of my heart. You're awesome!"
- "I can't believe that I just got the Florida medical license in less than 2 weeks!!! Superb fast work by you and your team! I am highly impressed."
- "Remarkably polite, friendly, knowledgeable, efficient, and professional at every step of the way."
- "Made it very easy, and I thank you from the bottom of my heart."

Earn CME at a Board Meeting

You can earn five hours of CME in risk management or ethics by attending a full day or eight hours of the disciplinary portion of the Board Meeting. The full board meeting starts at 8:00am and you are required to remain at the meeting until the disciplinary portion of the meeting is over. Check our website for meeting dates and locations. Be sure to read the rule below in its entirety.

Rule 64B8-13.005(2)

(2)(a) For purposes of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or

eliminating identifiable risks.

- (b) Five hours of continuing medical education in the subject area of risk management or medical ethics may be obtained by attending one full day or eight (8) hours, whichever is more, of disciplinary hearings at a regular meeting of the Board of Medicine in compliance with the following:
- 1. The licensee must sign in with the Board staff before the meeting day begins.
- 2. The licensee must remain in continuous attendance.
- 3. The licensee must sign out with the

Board staff at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CME credit in risk management or medical ethics for attending the disciplinary portion of a Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose. A member of the Board of Medicine may obtain 10 hours of continuing medical education per biennium in the subject area of risk management or medical ethics for attendance at the disciplinary portion of Board meetings.

Upcoming Meeting Notices, Agendas, and Public Books

Meeting Date	Location
February 1-2, 2018	Rosen Shingle Creek 9939 Universal Blvd Orlando, Florida 32819 Phone # 1 (866) 996-6338 Website: https://www.rosenshinglecreek.com
April 5-6, 2018	Marriott Tampa Airport 4200 George J Bean Pkwy Tampa Florida 33607 (813) 878-6505 Phone # (813) 878-6505 Website: http://www.marriott.com/hotels/maps/travel/tpaap-tampa-airport-marriott
June 7-8, 2018	Marriott Tampa Airport 4200 George J Bean Pkwy Tampa Florida 33607 (813) 878-6505 Phone # (813) 878-6505 Website: http://www.marriott.com/hotels/maps/travel/tpaap-tampa-airport-marriott



Florida Board of Medicine

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